

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

ERIC J. GREEN,

Plaintiff,

vs.

ANDREW M. SAUL, Commissioner  
of Social Security Administration,

Defendant.

CV 20-91-M-KLD

ORDER

Plaintiff Eric J. Green ("Green"), by and through his attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), for attorney fees incurred in prosecuting his Social Security appeal. He requests \$5,776.28 in fees.

Defendant Commissioner of Social Security ("Commissioner") does not object to Green's application for fees in this amount.

**THEREFORE, IT IS HEREBY ORDERED** that Green's Application for Award of EAJA Fees is GRANTED. Defendant shall pay \$5,776.28 in attorney fees under the Equal Access to Justice Act, 28 U.S.C. §2412.

**IT IS FURTHER ORDERED** that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee

order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows:

Seidlitz Law Office  
P.O. Box 1581  
Great Falls, MT 59403-1581

However, if there is a debt owned under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney.

DATED this 7<sup>th</sup> day of June, 2021.



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Kathleen L. DeSoto  
U.S. Magistrate Judge